

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

MARY VIED, Personal Representative of the
DONNA LEE, DECEASED; MARY VIED,
Personal Representative of the ESTATE OF
JENNIFER LEE, DECEASED; MARY VIED as
Next Friend of KL A MINOR, and
NICHOLAS LEE, individually;

Plaintiffs,

Case No. 09-13734

vs.

Judge Patrick Duggan

CONTINENTAL TIRE NORTH AMERICA, INC.,
a foreign corporation,

Defendants.

ROBERT H. DARLING (P25523)
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**STIPULATED ORDER APPROVING WRONGFUL DEATH SETTLEMENT,
GRANTING AUTHORITY TO MARY VIED TO SIGN SETTLEMENT
DOCUMENTS ON BEHALF OF THE ESTATE AND THE MINOR,
PAYMENT OF ATTORNEY FEES AND APPROVING DISTRIBUTION**

At a session of said Court held in the City of Detroit,
County of Wayne, State of Michigan, on June 13, 2011.

PRESENT: HON. PATRICK J. DUGGAN
U.S. District Court Judge

This matter having come on for hearing before this Honorable Court, the parties having
reached a settlement subject to this Court's approval, testimony having been taken at length on

the record from the Personal Representative of the Estate, the report of the court-appointed guardian ad litem having been reviewed by this Court, and this Court finding that the settlement reached was in the best interests of the Estate, and the Court being fully advised in the premises;

IT IS HEREBY ORDERED that the settlement proposed by the parties is hereby approved. That none of said amount is being received by the Estate as reimbursement for conscious pain and suffering;

IT IS FURTHER ORDERED that the Personal Representative of the Estate shall be authorized and empowered to reimburse the Law Firm of SOMMERS SCHWARTZ, P.C. for costs advanced and to pay attorney fees, which this Court deems to be fair and reasonable in view of the nature of this cause and commensurate with the contingency fee agreement entered into for services rendered in connection with this wrongful death claim, as shown on **Exhibit A**, presented to this Court, but not available for public review.

IT IS FURTHER ORDERED that Mary Vied, the Personal Representative of the Estate, and guardian for the minor, be and hereby is authorized on behalf of the estate, the next of kin, and the minor, to execute any and all documents including but not limited to the Release and Settlement Agreement, necessary to effectuate the settlement of this claim including any and all releases, settlement and indemnification documents;

IT IS FURTHER ORDERED that, upon execution by the Plaintiffs of the Confidential Settlement Agreement, Release and Indemnity Agreement, and entry of an Order of Dismissal with prejudice, the distribution of the net wrongful death proceeds shall be distributed as set forth on **Exhibit A**, which was reviewed by the Court, but not to be made available for public review.

This Order resolves the last issue, but does not close this case. The parties shall submit a proposed Order of dismissal with prejudice upon the exchange of final settlement documents.

s/Patrick J. Duggan
Patrick J. Duggan
United States District Judge

Dated: June 13, 2011

I hereby certify that a copy of the foregoing document was served upon counsel of record on Monday, June 13, 2011, by electronic and or ordinary mail.

s/Marilyn Orem
Case Manager

Stipulated and agreed:

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